

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PATRICK BRANSON,

Plaintiff,

V.

BILL STREETER,

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

No. 4:22CV42 RLW

MEMORANDUM AND ORDER

This matter is before the Court on the Motion to Dismiss Counts Directed Against Defendant Bill Streeter in Second Amended Complaint (ECF No. 39), Plaintiff's Motion for Summary Judgment (ECF No. 49), Plaintiff's Motion for Summary Judgment (ECF No. 60), Motion for Summary Judgment (ECF No. 63), Plaintiff's Motion to Expedite Determination of Motion to Dismiss (ECF No. 70), Plaintiff's Motion to Expedite Determination of Motion to Dismiss (ECF No. 71), and Plaintiff's Reasonable Accommodation Request (ECF No. 73). On October 14, 2022, Plaintiff filed a Notice of Voluntary Dismissal of All Defendants (ECF No. 78).

Under Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff can file a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Defendant has not filed an answer or motion for summary judgment in this action. In addition, Defendant has not filed any objection or response to Plaintiff's Notice of Voluntary Dismissal of All Defendants, and the time for filing any response has expired. *See* E.D.Mo. L.R. 4.01(B). Therefore, the Court finds that Plaintiff's voluntary dismissal of this action is proper.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Notice of Voluntary Dismissal of All Defendants (ECF No. 78) is **GRANTED**.

IT IS FURTHER ORDERED that the Motion to Dismiss Counts Directed Against Defendant Bill Streeter in Second Amended Complaint (ECF No. 39), Plaintiff's Motion for Summary Judgment (ECF No. 49), Plaintiff's Motion for Summary Judgment (ECF No. 60), Motion for Summary Judgment (ECF No. 63), Plaintiff's Motion to Expedite Determination of Motion to Dismiss (ECF No. 70), Plaintiff's Motion to Expedite Determination of Motion to Dismiss (ECF No. 71), and Plaintiff's Reasonable Accommodation Request (ECF No. 73) are **DENIED** without prejudice.

An Order of Dismissal is filed simultaneously herewith.

Dated this 31st day of October, 2022.

A handwritten signature in black ink that reads "Ronnie L. White". The signature is written in a cursive, flowing style.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE